

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION

UNITED STATES OF AMERICA	)	
<i>ex rel.</i> TRACY HAWKINS and TRACY	)	
HAWKINS individually,	)	Civil Action No.: 8:18-cv-02952-DCC
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
PAIN MANAGEMENT ASSOCIATES	)	
OF THE CAROLINAS, LLC and	)	
CHRISTOPHER RUBEL, M.D.,	)	
	)	
Defendants.	)	

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**UNITED STATES' MOTION TO CONSOLIDATE CASES**

On March 1, 2019, the United States partially intervened in this case, and this Court lifted the seal. (ECF 13, 14). On that same date, the United States partially intervened in two related qui tam cases, which this Court has also unsealed. *See United States ex rel. Matthewson v. Dr. Daniel A. McCollum, et al.*, No. 6:17-CV-01190-DCC (D.S.C. filed May 5, 2017), at ECF 42, 43 (“*Matthewson*”), and *United States ex rel. Rauch, et al. v. Oaktree Medical Centre, P.C., et al.*, No. 6:15-cv-01589-DCC (D.S.C. filed April 10, 2015), at ECF 77, 78. (“*Rauch*”). Pursuant to Rule 42(a)(2) of the Federal Rules of Civil Procedure, the United States respectfully moves this Court to administratively consolidate the above-captioned case with the *Matthewson* and *Rauch* cases on the grounds that these cases involve a common question of law and fact, and are all docketed with this Court. The *Matthewson* and *Rauch* cases were previously consolidated by an Order in case No. 6:15-

cv-01589-DCC, the designated lead case. (ECF 66) Relator, through her counsel, consents to this request.

A memorandum in support of this motion is included herein, and a proposed order is submitted for the Court's consideration.

**UNITED STATES' MEMORANDUM IN SUPPORT OF ITS  
MOTION TO CONSOLIDATE CASES**

Rule 42(a) permits a federal district court to consolidate separate cases when they involve a common question of law or fact. Fed. R. Civ. P. 42(a). Consolidating the instant case with the *Rauch* and *Matthewson* cases is appropriate because they each allege violations of the False Claims Act, 31 U.S.C. § 3729–3733 (“FCA”) by a common defendant, Pain Management Associates of the Carolinas, LLC. The common defendant and the commonality among the alleged legal violations has led to a single investigation by the United States, and the United States intends to file a single complaint in intervention related to all three of these qui tam cases. Thus, administrative consolidation of these cases as this juncture would promote procedural efficiency.

**CONCLUSION**

For the foregoing reasons, the United States respectfully requests that the Court grant its motion to consolidate the above-captioned qui tam case with *United States ex rel. Rauch, et al. v. Oaktree Medical Centre, P.C., et al.*, No. 6:15-cv-01589-DCC (D.S.C. filed April 10, 2015), and *United States ex rel. Matthewson v. Dr. Daniel A. McCollum, et al.*, No. 6:17-CV-01190-DCC (D.S.C. filed May 5, 2017).

Respectfully submitted,

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